

OFFICE OF
THE TOWN COUNCIL

TOWN OF EAST HARTFORD

740 Main Street
East Hartford, Connecticut 06108

(860) 291-7207
WWW.EASTHARTFORDCT.GOV

TOWN COUNCIL MAJORITY OFFICE

REAL ESTATE ACQUISITION AND DISPOSITION COMMITTEE

December 12, 2023

TO: Councillors Awet Tsegai and Tom Rup

FROM: Angie Parkinson, Chair

RE: **December 12, 2023 6:30 p.m. Community Cultural Center, Room 111**

This meeting is accessible through “Microsoft Teams” [1-929-235-8441](https://www.microsoft.com/join) Conference ID: 450 410 566# or [Click here to join the meeting](#)

1. CALL TO ORDER
2. NOMINATION OF OFFICERS
 - A. Chair
 - B. Secretary
3. ADOPTION OF RULES GOVERNING MEETINGS
4. ESTABLISHMENT OF MEETING DATES
5. STORAGE OF RECORDS
6. APPROVAL OF MINUTES
 - A. January 30, 2023
7. OPPORTUNITY FOR RESIDENTS TO SPEAK
8. NEW BUSINESS
 - A. Need for Referral, 6.9 Acres of State Land abutting Brookside Lane
 - B. Clarification of Town Ownership of Small Parcels Comprising a Portion of East River Drive
9. ADJOURNMENT

cc: Town Council
Mayor Walsh
Eileen Buckheit, Director of Development

Community Cultural Center Room 111/Microsoft "TEAMS"

REAL ESTATE ACQUISITION AND DISPOSITION COMMITTEE

January 30, 2023

PRESENT Councillor Angie Parkinson, Chair; Councillors Awet Tsegai and Tom Rup

ALSO Douglas Wilson, Town Engineer
PRESENT

CALL TO ORDER

Chair Parkinson called the meeting to order at 6:00 p.m.

AMENDMENTS TO THE AGENDA

APPROVAL OF MINUTES

July 26, 2022 Meeting

MOTION By Awet Tsegai
seconded by Tom Rup

to **approve** the minutes of the July 26, 2022 meeting.

Motion carried 3/0

OPPORTUNITY FOR RESIDENTS TO SPEAK

Classification of Rosenthal Street as a Town Road

Chair Parkinson shared that Rosenthal Street is a short dead-end that is located off Burnside Avenue and adjacent to Tolland Street. A business owner located at the end of the roadway (25 Rosenthal) has requested that it be classified as a Town Road as the town has historically provided plowing services on it. The landowner has requested that the town handle all maintenance on the road aside from trash pickup.

Doug Wilson, Town Engineer provided a background on the original development of the subdivision and transfer of the roadway to the current owner of 25 Rosenthal Street in 1974. Based on Mr. Wilson's interpretation, when the owner purchased the west half of the large lot on the north end of the road, he also acquired title to the road.

Mr. Wilson provided the Committee with three options for consideration based on his findings: 1) leave the road private (no change from current conditions); 2) accept the road as a Town road, but only after significant improvements to the road and drainage system are made. We would need a waiver of claim from Mr. Goulet (owner at 25 Rosenthal) for the drainage connection to the (newly acquired) Town drainage system and an easement (or land transfer) to accommodate traffic turning around (and snow removal); or 3) assist the owner with creation of a Special Taxing District that could be used for road and drainage improvements where common costs are assessed and paid from a shared

account for road maintenance that would come from all the property owners on Rosenthal Street.

Mr. Wilson noted that plowing is an inherently dangerous activity and did not recommend that the town continue to plow this private road due to the liability risk. In addition, the way the road terminates suddenly in the parking lot of the northern property, it's likely that Town trucks deposit snow into the private lot and in the process, are actually plowing part of a private property. Based on this, Mr. Wilson recommendation is to not accept the road.

Administration estimates the cost could be up to \$250,000 to bring the road to proper standard should the Town acquire it.

The Committee concurred with Mr. Wilson's recommendation, and discussed that should the town reach a position where they have negotiated with Mr. Goulet to have the required road improvements made, acceptance of the road can come back to the Committee for approval.

MOTION By Tom Rup
 seconded by Awet Tsegai

that the Committee recommend that the Town Council **not accept** Rosenthal Street as a Town Road in its current condition.

Motion carried 3/0

ADJOURNMENT

MOTION By Tom Rup
 seconded by Awet Tsegai
 to **adjourn** (6:33 pm)

Motion carried 3/0

cc: Town Council
 Mike Walsh, Mayor
 Marilynn Cruz-Aponte, Director of Public Works



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone: (860) 594-2465

October 17, 2023

Mr. Richard P. Gentile
Assistant Corporation Counsel
Town of East Hartford
740 Main Street
East Hartford, CT 06108

Dear Attorney Gentile:

Subject: State Land – East Hartford
File No. 42-216-9E
Public Act No. 17-238, Section 1, amending Special Act No. 15-1, Section 9

Please be advised that the Department of Transportation (Department) has received final approval and is now ready to close.

The amount due at closing, in the form of a **bank check** made payable to “**Treasurer, State of Connecticut**”, is \$1,000.00.

Enclosed is a copy of the executed deed, release maps, and closing report. Please sign two copies of the closing report and forward them to this office together with the payment of \$1,000.00.

Upon receipt of the above, the Department will send you by Certified Mail, a copy of the closing report, the original executed deed, fixed line mylar and the tax exempt form for you to file in the East Hartford Town Hall.

In the interim, should you have any questions, please contact me.

Sincerely,

Christie A. LaBella
Property Agent 2
Property Management Section
Division of Rights of Way

cc: The Honorable Michael Walsh
Mayor of East Hartford

Enclosures

RELEASE NEGOTIATION AND CLOSING REPORT

Public Act No. 17-238 amending

June Special Session,

Special Act No. 15-1, Section 9

TYPE OF SALE

BUYERS NAME Town of East Hartford

(as to appear on deed)

ADDRESS 740 Main Street
East Hartford, CT 06108

TOWN East Hartford

ROAD Roberts Street

FILE NO. 42-216-9E

FED. PROJ. NO. _____

CONTACT AT Mayor Michael Walsh
(860) 291-7201

REGISTERED

VALUE N/A RELEASE PRICE \$1,000

TERMS OF SALE Administrative Costs DEPOSIT \$0

TYPE OF LAND 6.9± acres of vacant land BALANCE DUE \$1,000.00

RESERVATIONS IN RELEASE DEED
Section 9 and the Flood Management Certificate

See attached Public Act 17-238 Section 1/Special Act No. 15-1

STATE FILE NO.	FORMER OWNER	DEED TYPE/ VOLUME/PAGE	APPROX. ORIGINAL PURCH. PRICE/SZ.	DATE OF DEED
See Attached				

FED. PARTICIPATING _____ ORIG. CODING _____

REMARKS _____

CODING _____

ROW/CONST. MAP NOS.

RELEASE DEED
DELIVERED IN
PERSON

SIGNED

DATE

RELEASE DEED
DELIVERED BY
MAIL

SIGNED

DATE

AGENCY REPRESENTATIVE

DATE

RELEASE NEGOTIATION AND CLOSING REPORT

Public Act No. 17-238 amending

June Special Session,

Special Act No. 15-1, Section 9

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(as to appear on deed)

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East Hartford, CT 06108

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ROAD Roberts Street

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FED. PROJ. NO. _____

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See Attached				

FED. PARTICIPATING _____ ORIG. CODING _____

REMARKS _____

CODING _____

ROW/CONST. MAP NOS.

RELEASE DEED
DELIVERED IN
PERSON

SIGNED

DATE

RELEASE DEED
DELIVERED BY
MAIL

SIGNED

DATE

AGENCY REPRESENTATIVE

DATE

Return to:
Town of East Hartford
740 Main Street
East Hartford, CT 06108

Copy

QUIT-CLAIM DEED

STATUTORY FORM

KNOW YE, that the State of Connecticut, acting herein by Erick A. Russell, Treasurer of the State of Connecticut, under authority granted by Section 9 of Special Act No. 15-1 of the General Assembly of the State of Connecticut, approved July 6, 2015, as amended by Section 1 of Public Act 17-238 of the General Assembly of the State of Connecticut, approved July 11, 2017 (collectively, the "Special Act"), and with the approval of the State Properties Review Board of the State of Connecticut, for consideration paid One Thousand Dollars (\$1,000.00), does hereby give, grant, bargain, sell and convey to the Town of East Hartford, a Municipal corporation existing under the laws of the State of Connecticut, and having its territorial limits within the County of Hartford and State of Connecticut, with QUIT-CLAIM COVENANTS,

That certain parcel of land, located in the Town of East Hartford, County of Hartford and State of Connecticut situated on the northwesterly side of Present Interstate 84 (Ramp "D") and Present Roberts Street (S.R. 518), at the intersection of Present Brookside Lane containing 6.9 acres, more or less, and more particularly shown on a map to be filed in the East Hartford Town Clerk's Office entitled, "TOWN OF EAST HARTFORD MAP SHOWING LAND RELEASED TO TOWN OF EAST HARTFORD BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION INTERSTATE 84 (LIMITED ACCESS HIGHWAY) SCALE 1" = 40' NOVEMBER 2019 MARK D. ROLFE, P.E. CHIEF ENGINEER - BUREAU OF ENGINEERING AND CONSTRUCTION", TOWN NO. 42, PROJECT NO. 42-216, SERIAL NO. 9E, SHEETS 1 AND 2 OF 2. Last revised 10/12/22, and bounded and described as follows:

- SOUTHEASTERLY by Present Roberts Street (S.R. 518), a distance of 154 feet, more or less, by a line designated "RELEASE LINE & NON-ACCESS HIGHWAY LINE", as shown on Sheet 1 of 2 of said map set;
- SOUTHERLY by said Present Roberts Street (S.R. 518) and Present Interstate 84 (Ramp "D"), each in part, a total distance of 972.68 feet, by a line designated "RELEASE LINE & NON-ACCESS HIGHWAY LINE", as shown on Sheets 1 and 2 of 2 of said map set;
- EASTERLY by Present Interstate 84 (Ramp "D"), 30 feet, by a line designated "RELEASE LINE & NON-ACCESS HIGHWAY LINE", as shown on Sheet 2 of 2 of said map set;
- SOUTHEASTERLY by said Present Interstate 84 (Ramp "D"), a total distance of 828.65 feet, by a line designated "RELEASE LINE & NON-ACCESS HIGHWAY LINE", as shown on Sheet 2 of 2 of said map set;
- WESTERLY by land now or formerly of the Town of East Hartford, 125 feet, more or less, by a line designated "RELEASE LINE & PROPERTY LINE", as shown on Sheet 2 of 2 of said map set;

CO PM

Town of East Hartford
42-216-9E

NORTHERLY by land now or formerly of East Hartford Equipment Corp., 143 feet, more or less, by a line designated "RELEASE LINE & PROPERTY LINE", as shown on Sheet 2 of 2 of said map set;

NORTHWESTERLY by said land now or formerly of East Hartford Equipment Corp., 864 feet, more or less, by a line designated "RELEASE LINE & PROPERTY LINE", as shown on Sheets 1 and 2 of 2 of said map set;

WESTERLY by said land now or formerly of East Hartford Equipment Corp., 56 feet, more or less, by a line designated "RELEASE LINE & PROPERTY LINE", as shown on Sheet 1 of 2 of said map set;

generally
NORTHERLY by Present Brookside Lane, a total distance of 909 feet, more or less, by a line designated "RELEASE LINE & STREET LINE", as shown on Sheet 1 of 2 of said map set;

NORTHERLY by said Present Brookside Lane, 56 feet, more or less, by a line designated "RELEASE LINE & STREET LINE", as shown on Sheet 1 of 2 of said map set;

NORTHEASTERLY by said Present Brookside Lane, 205 feet, more or less, by a line designated "RELEASE LINE & STREET LINE", as shown on Sheet 1 of 2 of said map set.

For the State's source of title to the premises herein conveyed, reference is made to acquisitions by the State of Connecticut from the Town of East Hartford, as contained in a Quit-Claim Deed, dated February 27, 1984 and recorded in Volume 866 at Page 87 of the East Hartford Land Records, and through Eminent Domain proceedings against Texaco Inc., as evidenced by a Certificate of Condemnation recorded on August 31, 1983 in Volume 834 at Page 66 of said Land Records, against Mary Anne James, as evidenced by a Certificate of Condemnation recorded on September 7, 1982 in Volume 795 at Page 114 of said Land Records, against E.M.F. Incorporated, as evidenced by a Certificate of Condemnation recorded on May 19, 1982 in Volume 785 at Page 80 of said Land Records, against Emil L. Downey et al, as evidenced by a Certificate of Condemnation recorded on April 5, 1983 in Volume 814 at Page 120 of said Land Records, against Ardprop, Inc. as evidenced by a Certificate of Condemnation recorded on August 22, 1983 in Volume 833 at Page 49 of said Land Records, against The East Hartford Equipment Corporation, as evidenced by a Certificate of Condemnation recorded on December 19, 1983 in Volume 846 at Page 349 of said Land Records, and an Affidavit from the Department of Emergency Services and Public Protection (DESPP) dated February 24, 2016 and recorded in Volume 3588 at Page 314 of said land records.

Reserving unto the State of Connecticut, Department of Transportation, its successors and assigns, a drainage right of way under, over and across a portion of the premises herein conveyed, as more particularly shown on said map. The State of Connecticut, its successors and assigns, further reserves a full and perpetual right and privilege to enter upon the said premises by its officers, employees, servants and agents, for the purpose of constructing, building, maintaining, cleaning, repairing, reconstructing and inspecting, at all times a drain or pipe, with appurtenances thereto, upon, over, under and across said easement, together with the further right to flow water through said drain or pipe.

The above-described premises are conveyed subject to such rights and easements as may appear of record, and to any state of facts which an inspection of the premises may show, including but not limited to an easement in favor of The Hartford Electric Light Company, an easement to drain in favor of the Town of East Hartford, an easement to slope in favor of the Town of East Hartford, and an easement to drain in favor of the East Hartford Equipment Corp., all as more particularly shown on said map.

Town of East Hartford
42-216-9E

COM

All rights of Ingress and Egress are specifically denied, directly to and from Present Interstate Route 84 (Ramp D) and Present Roberts Street (S.R. 518), from and to the land herein conveyed, as more particularly shown on said map.

The above-described premises are conveyed subject to any and all provisions of any ordinance, municipal regulation, or public or private law.

By acceptance of this deed, the Grantee, for itself and its successors and assigns, further understands and agrees that the above-described premises are subject to a Connecticut Department of Energy and Environmental Protection License – Flood Management Certification Approval, a copy of which is attached to this deed as Exhibit A License No. 202112522-FM (the "License"). As a condition of the License, Grantor is required to condition any transfer or disposal of state property that may be located within a FEMA flood zone. Such condition requires, as part of a property transfer agreement or other legally binding contract, require that the new owner may not construct within or use any part of the property located in the flood zone in such a way as may promote development within the floodplain or could in any way violate the National Flood Insurance Program requirements as administered and enforced by the municipality within which the property resides. By acceptance of this deed, the Grantee, for itself and its successors and assigns, agrees to comply with such terms, conditions, and restrictions as set forth above and as more particularly set forth in the License.

In accordance with the Special Act, the above-described parcel of land is conveyed with the special limitation that the Town of East Hartford shall use said parcel of land for municipal or economic development purposes. If, the Town of East Hartford does not use said parcel for said purposes, does not retain ownership of said parcel other than a sale for municipal or economic development purposes, or leases all or any portion of said parcel other than a lease for municipal or economic development purposes, the above-described parcel of land shall revert to the State of Connecticut. Any sale or lease of said parcel in accordance with the section shall be for the fair market value of the property or lease of said property, as determined by the average of the appraisals of two independent appraisers selected by the Commissioner of Transportation. Any funds received by the Town of East Hartford from a sale or lease of said parcel in accordance with the Special Act shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

Town of East Hartford
42-216-9E

COPY

Signed this 16th day of August, A.D. 2023.

Witnessed by:

[Signature]
Witness Margery Johnson

State of Connecticut

By E. Russell (L.S.)
Erick A. Russell
Treasurer
Duly Authorized

[Signature]
Witness Kevin Alvarez

STATE OF CONNECTICUT)
) ss: Hartford
COUNTY OF HARTFORD)

The foregoing instrument was acknowledged before me this 16th day of August, A.D. 2023, by Erick A. Russell, Treasurer of the State of Connecticut.

My Commission Expires

[Signature]
Notary Public Commission of the Superior Court

This conveyance is made with the approval of the undersigned in conformity with Special Act No. 15-1, Section 9, Subsection (c).

State Properties Review Board

By [Signature] 9/21/2023
Prwin S. Greenberg, Chairman (Date)
State Properties Review Board
State of Connecticut
Duly Authorized

APPROVED AS TO FORM:
William Tong, Attorney General

By [Signature]
Jeffrey Zeman
Assistant Attorney General
Duly Authorized

Date: 9/26/23

COPY



Substitute House Bill No. 7278

Public Act No. 17-238

AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS AND EASEMENTS OF STATE LAND, THE REDEVELOPMENT OF PROPERTY IN THE TOWN OF PRESTON AND A REQUIREMENT TO APPRAISE CERTAIN MUNICIPAL PROPERTY PRIOR TO SALE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 9 of special act 15-1 of the June special session is amended to read as follows (*Effective from passage*):

(b) The town of East Hartford shall use said parcels of land for municipal or economic development purposes. If the town of East Hartford:

- (1) Does not use any of said parcels for said purposes;
- (2) Does not retain ownership of any of said parcels other than a sale for municipal or economic development purposes; or
- (3) Leases all or any portion of any of said parcels other than a lease for municipal or economic development purposes,

the parcel at issue shall revert to the state of Connecticut. Any sale or lease of said parcels in accordance with this section shall be for the fair market value of the property or lease of said property, as determined

Substitute House Bill No. 7278

by the average of the appraisals of two independent appraisers selected by the Commissioner of Transportation. Any funds received by the town of East Hartford from a sale or lease of said parcels in accordance with this [section] subsection shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

Sec. 2. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Fairfield a parcel of land located in the town of Fairfield, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 7.23 acres and is identified as 5695 Park Avenue, Lot 4 of town of Fairfield Tax Assessor's Map 14. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Fairfield shall use said parcel of land for recreational and open space purposes. If the town of Fairfield:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of

Substitute House Bill No. 7278

agreement with the redeveloper, if otherwise permitted by section 12-65b or 12-125b of the general statutes. Notwithstanding any provision of the general statutes, the existence of such redevelopment agency shall not be discontinued prior to the expiration of the term of the agreement with such redeveloper.

Sec. 15. Section 6 of special act 14-23 is repealed. (*Effective from passage*)

Approved July 11, 2017



House Bill No. 7101

June Special Session, Special Act No. 15-1

AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND AND AMENDING THE CHARTERS OF THE BOROUGH OF FENWICK AND THE GIANTS NECK BEACH ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the city of New Haven a parcel of land located in the city of New Haven, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 4.5 acres and is identified as the parcel of land located at 101 College Street, bounded by Church Street, Martin Luther King Jr. Boulevard, College Street and South Frontage Road, and further identified as a portion of the parcel on the map entitled "Connecticut Department of Transportation, Bureau of Highways, Right of Way Map, Town of New Haven, Oak Street Connector, From Howe Street Easterly to the Connecticut Turnpike, dated February 20, 1975, Map Number 92-10, Sheet No. 2 of 3." The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The city of New Haven shall use said parcel of land to be conveyed for economic development purposes. If the city of New

House Bill No. 7101

and is identified as the release area depicted in a map entitled "Compilation Plan, Town of New Milford, Map Showing Land Released to- By the State of Connecticut Department of Transportation, Danbury Road (U.S. Routes 7 & 202) at Sullivan Road, Scale 1:500, Thomas A. Harley, P.E., December 2014, Town No. 95, Project No. 95-219, Serial No. 24A, Sheet 1 of 1". The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of New Milford shall use said parcel of land for open space purposes. If the town of New Milford:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, (1) the Commissioner of Emergency Services and Public Protection shall convey to the Department of Transportation eight parcels of land located in the town of East Hartford, and (2) the

House Bill No. 7101

Commissioner of Transportation shall convey said eight parcels of land to the town of East Hartford, at a cost equal to the administrative costs of making such conveyance. The first parcel of land has an area of approximately 1.76 acres and is identified as Lot 6A on East Hartford Assessor's Map 24 and is located at 410 Roberts Street. The second parcel of land has an area of approximately .66 acre and is identified as Lot 6B on East Hartford Assessor's Map 24 and is located at 420 Roberts Street. The third parcel of land has an area of approximately .34 acre and is identified as Lot 6C on East Hartford Assessor's Map 24 and is located at 430 Roberts Street. The fourth parcel of land has an area of approximately 1.36 acres and is identified as Lot 6D on East Hartford Assessor's Map 24 and is located at 432 Roberts Street. The fifth parcel of land has an area of approximately .58 acre and is identified as Lot 6E on East Hartford Assessor's Map 24 and is located at 464 Roberts Street. The sixth parcel of land has an area of approximately 1.21 acres of land is identified as Lot 6F on East Hartford Assessor's Map 24 and is located at 470 Roberts Street. The seventh parcel of land has an area of approximately .03 acre and is identified as Lot 6G on East Hartford Assessor's Map 24 and is located at 478 Roberts Street. The eighth parcel of land has an area of approximately 4.04 acres of land and is identified as Lot 6H on East Hartford Assessor's Map 24 and is located at 480 Roberts Street. The conveyance of said parcels to the town of East Hartford shall be subject to the approval of the State Properties Review Board.

(b) The town of East Hartford shall use said parcels of land for economic development purposes. If the town of East Hartford:

- (1) Does not use any of said parcels for said purposes;
- (2) Does not retain ownership of any of said parcels other than a sale for economic development purposes; or
- (3) Leases all or any portion of any of said parcels other than a lease

House Bill No. 7101

for economic development purposes,

the parcel at issue shall revert to the state of Connecticut. Any sale or lease of said parcels in accordance with this section shall be for the fair market value of the property or lease of said property, as determined by the average of the appraisals of two independent appraisers selected by the Commissioner of Transportation. Any funds received by the town of East Hartford from a sale or lease of said parcels in accordance with this section shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcels of land to the town of East Hartford not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 10. Section 15 of special act 07-11, as amended by section 4 of public act 10-1 of the June special session, is amended to read as follows (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the Bridgeport Port Authority a parcel of land located in the city of Bridgeport, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 1.008 acres and is identified as a certain parcel of land situated in the city of Bridgeport, county of Fairfield, and state of Connecticut, being more particularly

House Bill No. 7101

Sec. 24. Section 3 of special act 14-23 is repealed. (*Effective from passage*)

Approved July 6, 2015



EXHIBIT A

Bureau of Water Protection and Land Reuse
Land & Water Resources Division

79 Elm Street • Hartford, CT 06106-5127

portal.ct.gov/DEEP

Affirmative Action/Equal Opportunity Employer

Connecticut Department of Energy and Environmental Protection License*

Flood Management Certification Approval

Licensee(s): Connecticut Department of Transportation

Licensee Address(s): 2800 Berlin Turnpike
Newington, CT 06131-7546

License Number(s): 202112522-FM

Municipality: Statewide

Project Description: Flood Management General Certification for Statewide Minor Activities

Project Address/Location: Statewide

Waters: Statewide

Authorizing CT Statute(s) and/or Federal Law: CGS Section 25-68b to h

Applicable Regulations of CT State Agencies: 25-68h-1 to 3

Agency Contact: Land & Water Resources Division,
Bureau of Water Protection & Land Reuse, 860-424-3019

License Expiration: Ten (10) years from the date of issuance of this license.

Project Site Plan Set: "CTDOT Standard Sheets," 26 Sheets, prepared by CT DOT Office of Engineering, approved 07-14-2020.

License Enclosures: LWRD General Conditions; CTDOT Standard Sheets; Categories of Minor Activities

*Connecticut's Uniform Administrative Procedure Act defines License to include, "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law . . ."

Authorized Activities:

The Licensee is hereby authorized to conduct the following work as described in application # 202112522 and as depicted on any site plan sheets / sets cited herein:

Conduct, on an as-needed basis, the following activities in accordance with “*Categories of Minor Activities*,” attached hereto:

1. Minor Safety Improvements, Streetscape, and Transportation Facility and Enhancement Projects;
2. Roadway Repair, Repaving, Maintenance and Underground Utilities;
3. Minor Stormwater Drainage Improvements;
4. Removal of Sediment or Debris from a Floodplain;
5. Wetland Restoration, Creation, or Enhancement;
6. Scour Repairs at Structures;
7. Guide Rail Installation;
8. Bridge Deck and Superstructure Replacements;
9. Minor Culvert and Bridge Repairs, Including Proper Containment
10. Fisheries Enhancements;
11. Surveying and Testing;
12. Bicycle / Pedestrian, Multi-Use Trails and Enhancement Projects;
13. Transfer of State Real Property; and
14. Waste Stockpile Area within the 500-year Floodplain.

Failure to comply with the terms and conditions of this license shall subject the Licensee and / or the Licensee’s contractor(s) to enforcement actions and penalties as provided by law.

This license is subject to the following Terms and Conditions:

1. **License Enclosure(s) and Conditions.** The Licensee shall comply with all applicable terms and conditions as may be stipulated within the License Enclosure(s) listed above.
2. **Erosion & Sedimentation Controls.** Proper erosion and sedimentation controls shall be utilized in conjunction with Best Management Practices as outlined in Section 1.10 of the State of Connecticut Department of Transportation *Standard Specifications for Roads, Bridge and Incidental Construction, Form 818*, as revised by the latest supplementals.
3. **Stormwater Quality.** All work shall be consistent with DEEP’s 2004 Stormwater Quality Manual as revised.
4. **Temporary Facilities.** Any temporary facilities, impact activities, or equipment requiring work or placement in a floodplain must be able to be removed in a timely manner from the site in case of a flood warning. Items designed as temporary structures in accordance with the guidelines outlined in the CTDOT Drainage Manual for Temporary Hydraulic Structures shall be exempt from this requirement.

5. **Fish Passage.** Temporary facilities shall allow for the passage of fish with minimal disturbance to the streambed.
6. **Time-of Year Restrictions.** Unconfined in-stream work will be limited to the period indicated by a sign-off from DEEP Fisheries Division. This time frame will be June 1st to September 30th unless a waiver from this restriction has been approved in writing from this Division.
7. **FMC Submittals.** Prior to commencement of any construction authorized under this General Certification, DOT must submit a copy of the completed CT DOT Hydraulics and Drainage Flood Management General Concurrence Request Form.

Issued under the authority of the Commissioner of Energy and Environmental Protection on:

March 22, 2022

Date



Brian P. Thompson
Division Director
Land & Water Resources Division

Categories of Minor Activities

1. Minor Safety improvements, Streetscape, and Transportation Facility and Enhancement Projects

Description: Projects which include minor grading and safety improvements including traffic signals, signs, sidewalks, rail platform extensions, elevated walkways, boardwalks, landscaping, light poles, and other activities similar in scope and scale. This category does not include sound barriers.

This category includes ancillary work to make rail stations and other Department facilities compliant with ADA standards, as well as allowing for stormwater improvements at such facilities which do not result in any adverse impacts to the floodplain and are compliant with the restrictions set forth in Category #3, "Minor Stormwater Drainage Improvements".

Landscape plantings will be in accordance with the most current version of the Department's *Standard Specifications for Roads, Bridges and Incidental Construction* as revised by the latest supplementals and in accordance with DEEP's "Non- Native Invasive Plant Species Policy".

Obstructions and grade increases shall not be permitted in a FEMA mapped floodway except for the following minor activities that meet the respective conditions:

- Sidewalks placed in the floodway shall be limited to six-inch maximum over the existing ground elevation and shall not reduce the hydraulic conveyance of the floodway. Any loss of conveyance must be compensated for in the same hydraulic cross section and proposed changes shall not require a map revision or require modeling.
- Plantings placed in the floodway shall be limited to a group of 10 or fewer low growing plants and shall be in ground and not increase grade.
- A single row of split rail fencing will be allowed in the floodway provided that it is parallel to flow.
- Signposts in the floodway shall be a single typical U-channel or similar sized posts and the lowest horizontal attachment to the signpost must be above the floodway elevation.
- Pedestal-mounted light posts, signals, pedestrian hybrid beacons (e.g., High-Intensity Activated Crosswalk [HAWK]), and rectangular rapid flashing beacons (RRFB) can be placed in the floodway provided a) there are no more than two, b) the mast(s) must be cylindrical, and c) they are limited to a maximum six-inch

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diameter.

Obstructions such as poles, signs, rail platforms, elevated walkways, boardwalks, plantings, and spilt rail fencing may be placed in the floodplain but not in the floodway (unless otherwise allowed as described above) provided:

- Any grade changes in the riverine floodplain will be limited to 2.0 feet maximum over the existing ground elevation.
- Grade changes shall not decrease the flood storage capacity of the riverine floodplain.
- Any fill in the riverine floodplain must be compensated for with an equal cut so that there will be no net fill below the base flood elevation.
- Compensation for the proposed fill shall occur within the same hydraulic cross section and the same reach of stream.
- Flood storage is not required by statute in tidally influenced floodplains; as such fill limitations and compensatory cut requirements are not applicable to these areas.

2. Roadway Repair, Repaving, Maintenance & Underground Utilities

Description: Milling, repaving, and associated regrading to roadsides. Also included in this category are roadway patching and repairs to existing grade and work to the subgrade of the roadway such as utility work, underdrain, and storm drain installation, excluding drainage outfalls.

This category allows up to a 4-inch increase in pavement height in a floodway fringe; no increases in the pavement height are permitted in a floodway. This category allows for the roadside to be graded to match the new pavement grade.

3. Minor Stormwater Drainage Improvements

Description: Placement of new drainage outfalls to reconfigure existing drainage systems where the proposed pipe size is 36" or less.

Activities in this category are permissible provided that a pre- and post- stormwater assessment/analysis indicates that such placement will not cause an increase in peak discharge of the receiving floodplain source, therefore, not increasing the regulatory flood elevation.

This category allows for upgrade of an existing pipe or replacement with equivalent diameter pipe at drainage outfalls, following the requirements set above. Replacement or placement of riprap aprons or preformed scour holes set no higher than existing

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grade at existing outfalls are included in this category. The design of riprap aprons and preformed scour holes shall conform to the guidelines in the Department's Drainage Manual. Placement of a flared end section as a replacement for a headwall is acceptable provided the fill matches adjacent slope limits.

4. Removal of Sediment or Debris from a Floodplain

Description: Removal of sediment or debris from a floodplain, including ditch cleaning. Removal of fill also includes the cleaning of ponds.

This category includes pond and ditch cleaning. All necessary Inland and Coastal permits must be approved. Sediment shall be disposed of in accordance with Best Management Practices as outlined in Section 1.10 of the Department's *Standard Specifications for Roads, Bridges, and Incidental Construction – Form 818*, as revised.

5. Wetland Restoration, Creation, or Enhancement

Description: Removal of material and placement of organic soils and wetland plantings. This category may include treatments and excavation to eradicate invasive species.

This category includes wetland restoration and actions necessary for creating wetland mitigation sites, e.g., placement of organic soils and wetland plantings. Any placement of material for soil amendment shall be an amount less than or equal to the material which was removed from the floodplain.

Placement of plantings alone can also be performed under this category to stabilize streambanks or other areas as well as provide plantings to replace non-native vegetation or for wildlife habitat enhancement. Plantings shall not adversely change the character of the bank or the hydraulic capacity of the waterway.

6. Scour Repairs at Structures

Description: Scour repairs which bring the streambed back to original grade. This category includes fill placed to an elevation no higher than the original grade at either bridge face or points beyond the influence of local or contraction scour. Such elevation shall be as depicted on original as-built plans (if available) or as determined in the field by the Engineer.

Unless the CTDEEP Fisheries Division has provided documented approval of plans depicting otherwise, the placement of riprap or alternate countermeasures shall be limited to local scour holes adjacent to the bridge substructure units, retaining walls, wingwalls, or culvert termini.

Designed counter measures may be covered under this category only if the countermeasures do not change the hydraulic capacity of the structure and if CTDEEP

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Fisheries Division has provided documented approval of the activity (i.e., plan sets signed by CT DEEP Fisheries staff).

Municipal projects which require no other DEEP LWRD permit approvals will only qualify for the General Certification under this item when accompanied by a completed CTDEEP Fisheries Division sign-off form.

7. Guide Rail Installation

Description: Installation, replacement, or repair of guide rails, including the use of appropriate materials under guiderail to prevent erosion and the necessary clearing and grubbing to place the system and allow for its deflection.

This category allows for installation or upgrade of guide rail systems to bring them into conformance with current safety standards. This item includes upgrades to termini, connections to bridge parapets, and the replacement of existing concrete barriers with solid barriers that are compliant with current design standards. This item includes replacement of existing metal beam rail with timber rail.

Solid safety barriers at a new location may not be placed under this item.

8. Bridge Deck and Superstructure Replacements

Description: Replacement of the superstructure or deck of a structure where both the existing and proposed low chord elevations are above the floodway elevation. This category also covers replacement activities when the low chord is below the floodway elevation when there is no change in the hydraulic opening/capacity, there is no change in the low chord elevation, and there is no change in streambed elevation above the as-built condition (as described in Category #6, "Scour Repairs at Structures").

Temporary impacts for construction include scaffolding, ladders, work platforms, sandbags, cofferdams, sedimentation control devices, and other activities similar in scope and scale necessary to perform the work. This category includes necessary modifications to the substructure to accommodate the new superstructure if the modifications do not result in a change to the hydraulic opening/capacity. No decrease in hydraulic capacity may occur because of any work under this category.

9. Minor Culvert and Bridge Repairs including proper containment.

Description: Repairs to bridges, culverts, or pipes. This category includes the following activities:

- repointing and repairs to spalling concrete and bridge joints, seats, and bearings
- upgrade of parapets or railing (open design only allowed)

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- painting and replacement of wood on wooden bridges
- cleaning, painting, and repair or replacement of steel bridge elements with proper containment to prevent debris from falling to any regulated areas below
- in-kind culvert, cut-off, wingwall, and headwall replacement
- other activities similar in scope and scale which would not diminish the hydraulic capacity of the structure.

Temporary impacts for construction may include, but are not limited to, scaffolding, ladders, cofferdams, sandbags, and sedimentation control devices necessary to perform the work or access the work site. Containment systems and work platforms hung from the bridge may also be utilized such that the temporary system does not extend below the temporary design flood elevation unless the system can be readily removed prior to the anticipated flood event. The design frequency of the temporary design flood shall be determined by the procedures outlined in the Drainage Manual.

10. Fisheries Enhancements

Description: Work in waterways to create or enhance fisheries habitat.

This category includes placement of boulders, riparian plantings, vortex rock weirs, rock vanes, log structures, wing deflectors, channel blocks, cover logs and root wads, bank cribbing, scour pool excavation, stream bank stabilization, and other activities similar in scope and scale. This category includes any temporary impacts necessary for construction.

All enhancements must be approved by the Department's H&D Unit. Boulders or groupings of boulders placed will be no wider than 20% of the stream width and no more than one boulder or boulder grouping per 300 square feet of channel. Boulders will be placed only downstream of any bridge structure. Riparian plantings will be conducted in accordance with DEEP's Non-Native Plant Species Policy. Temporary floodplain impacts for construction necessary to perform the work shall be allowed given provisions for stabilizing and restoring the access way are provided.

This item may not be used for construction of fishways or fish ladders.

11. Surveying and Testing

Description: This category includes activities such as field survey, excavation of utility test pits, physical testing, or the installation of monitoring devices to determine surface or subsurface engineering site data.

Conventional land survey activities will be accomplished in accordance with standard

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Department practice. Minor manual clearing of brush or undergrowth will be allowed to establish lines of sight necessary for geodetic survey. Soil borings using mechanical drill rigs will be allowed provided that no fill is placed for access to the drilling site. The excavation of utility test pits using mechanical excavators is acceptable providing that there is no change in the final ground elevation at the test pit site.

The installation or use of temporary or permanent monitoring devices to record or provide real time data relative to bridges, culverts, streams, or subsurface characteristics will be allowed providing that there is no resultant permanent reduction in hydraulic capacity at a waterway crossing site. Any devices shall be approved by the Department's H&D Unit.

12. Bicycle / Pedestrian, Multi Use Trails and Enhancement Projects

Description: Construction of bicycle/pedestrian pathways, multi-modal trails, Rails to Trails, and enhancement projects in a regulated floodplain. These projects may include any or a combination of the activities listed below on the same project. The Project Engineer must indicate in their submission where each proposed activity will take place, along with a corresponding site number.

Projects in this category must comply with all applicable requirements described in Category #1, "Minor Safety Improvements, Streetscape, and Transportation Facility Projects". Independent functionality must be evident in project termini, and/or the project must provide links between or to other existing trails. Proper containment and water handling must be included in the plans for activities involving work in water.

- Rehabilitation or removal of existing structures in a floodplain or floodway such as piers, abutments, crib walls, and retaining walls. No new structures are allowed in a floodway under this category.
- Placement of retaining walls, crib walls, or similar structure in the floodplain with the purpose of decreasing the overall fill in the floodplain. Elevated walkways, boardwalks, and like structures are also permissible under this category. This activity must not have an adverse impact on flood flow conveyance.
- Construction of portions of the trail itself may be within a regulated floodway provided that the path or trail itself is constructed at grade. In these areas, only split rail fencing will be allowed.
- Rehabilitation or re-use of an existing structure to carry the trail where there is no decrease in the hydraulic opening. Work under this category may include a new deck, various concrete repairs, and placement of open type design parapets and railing.

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- Minor modifications to structures at the same location with minor re-alignments to better accommodate stream flows. This category allows for replacement or extension of abutments, wingwalls, headwalls, and cutoff walls where there is no adverse effect to the floodway and floodplain
- Placement of new culvert on new location in the floodplain in order to capture drainage or convey a small watercourse which is in conformance with the restrictions set forth in Item #3 — “Minor Stormwater Drainage Improvements”. Culverts deemed to be carrying a watercourse must be depressed one foot below the streambed, meet the ACOE openness ratio, and are limited to an effective opening of 36”.

13. Transfer of State Real Property

Description: Transfer/disposal of State real property.

A proposed transfer of real property belonging to the State and being within or affecting a floodplain must, as part of the property transfer agreement or other legally binding contract, require that the new owner may not construct within or use any part of the property located in the flood zone in such a way as may promote development within the floodplain or could in any way violate the National Flood Insurance Program requirements as administered and enforced by the municipality within which the property resides. A recording that will be added to the property’s land record restricting construction or use as described above shall satisfy this requirement.

14. Waste Stockpile Area within the 500-year Floodplain

Description: Use of a Waste Stockpiles Areas within the 0.2 per cent (500-year) floodplain (but not within 1 per cent [100-year] floodplain) to temporarily manage excess soil that contains concentrations of pollutants above background levels. The soil certified with this category originates within or adjacent to the floodplain.

This category allows for the use, under certain conditions, of a Waste Stockpile Area (WSA) within the 0.2 per cent (500 year) floodplain (the base flood for a critical activity) to temporarily manage excess soil that is derived from transportation construction activities and that is known or suspected to contain concentrations of pollutants above background levels. WSAs are used for temporary stockpiling and confirmation testing of soil prior to it being loaded for transport to appropriate disposal facilities.

The following material may qualify for this category:

- Soil characterized as being from low level areas of environmental concern. Low level areas of environmental concern have detections of pollutants above background levels but below the numerical levels in RCSA 22a-133k-2.

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- Soil characterized as being from areas of environmental concern. Areas of environmental concern have detections of pollutants above the numerical levels in RCSA 22a-133k-2.

Soil stored in WSAs will not be subject to major damage by floods, and such material or equipment shall be firmly anchored, restrained or enclosed to prevent it from floating away. This will be achieved by either:

- Establishing the WSA such that the locations of soil management areas shall be above the 0.2 per cent (500 year) floodplain elevation (i.e., the WSA will be “built up”), or
- Soil shall be managed utilizing roll-off dumpsters that can be more readily mobilized out of the 0.2 per cent (500 year) floodplain in the event a major storm is predicted. A major storm shall be defined as a storm predicted by the NOAA weather service with warnings of flooding, severe thunderstorms, or similarly severe weather conditions or effects. A contingency plan to remove the roll-offs from within the 500-year floodplain at least 24-hours (including weekends and holidays) prior to the start of a predicted major storm shall be included.

All stored material subject to this category will remain covered when not in active use, as defined in 101117A – CONTROLLED MATERIALS HANDLING.

The WSA will be dismantled upon completion of the affiliated project and the area shall be restored to the original or better condition as defined in 0101128A – SECURING, CONSTRUCTION AND DISMANTLING OF A WASTE STOCKPILE AND TREATMENT AREA.

The following practices shall be followed for ALL activities covered under this General Certification:

- Proper erosion and sedimentation controls will be utilized in conjunction with Best Management Practices as outlined in Section 1.10 of the State of Connecticut Department of Transportation *Standard Specifications for Roads, Bridge and incidental Construction, Form 818*, as revised by the latest supplementals.
- All work shall be consistent with DEEP’s *2004 Stormwater Quality Manual*.
- Any temporary facilities, impact activities, or equipment requiring work or placement in a floodplain must be able to be removed in a timely manner from the site in case of a flood warning. Items designed as temporary structures in accordance with the guidelines outlined in the CTDOT Drainage Manual for Temporary Hydraulic Structures

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shall be exempt from this requirement.

- Temporary facilities will allow for the passage of fish with minimal disturbance to the streambed.
- Unconfined in-stream work will be limited to the period indicated by a sign-off from DEEP Fisheries Division. This time frame will typically be June 1st to September 30th.

LWRD General Conditions

- 1. Land Record Filing (for *Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only*).** The Licensee shall file the Land Record Filing on the land records of the municipality in which the subject property is located not later than thirty (30) days after license issuance pursuant to Connecticut General Statutes (CGS) Section 22a-363g. A copy of the Notice with a stamp or other such proof of filing with the municipality shall be submitted to the Commissioner no later than sixty (60) days after license issuance. If a Land Record Filing form is not enclosed and the work site is not associated with an upland property, no filing is required.
- 2. Contractor Notification.** The Licensee shall give a copy of the license and its attachments to the contractor(s) who will be carrying out the authorized activities prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The Licensee's contractor(s) shall conduct all operations at the site in full compliance with the license and, to the extent provided by law, may be held liable for any violation of the terms and conditions of the license. At the work site, the contractor(s) shall, whenever work is being performed, have on site and make available for inspection a copy of the license and the authorized plans.
- 3. Work Commencement¹.** Not later than two (2) weeks prior to the commencement of any work authorized herein, the Licensee shall submit to the Commissioner, on the Work Commencement Form attached hereto, the name(s) and address(es) of all contractor(s) employed to conduct such work and the expected date for commencement and completion of such work, if any.
 - For water diversion activities authorized pursuant to 22a-377(c)-1 of the Regulations of Connecticut State Agencies, the Licensee shall also notify the Commissioner in writing two weeks prior to initiating the authorized diversion.
 - For emergency activities authorized pursuant Connecticut General Statutes Section 22a-6k, the Licensee shall notify the Commissioner, in writing, of activity commencement at least one (1) day prior to construction and of activity completion no later than five (5) days after conclusion.
- 4. For Coastal Licenses Only - License Notice.** The Licensee shall post the first page of the License in a conspicuous place at the work area while the work authorized therein is undertaken.
- 5. Unauthorized Activities.** Except as specifically authorized, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be

¹ The Work Commencement condition and the need for a Work Commencement Form is not applicable to Flood Management Certification approvals.

deposited, placed or stored in any wetland or watercourse on or off-site. The Licensee may not conduct work within wetlands or watercourses other than as specifically authorized, unless otherwise authorized in writing by the Commissioner. Tidal wetlands means "wetland" as defined by section 22a-29 and "freshwater wetlands and watercourses" means "wetlands" and "watercourses" as defined by section 22a-38.

6. **Unconfined Instream Work.** Unless otherwise noted in a condition of the license, the following conditions apply to projects in non-coastal waters:
 - Unconfined instream work is limited to the period June 1 through September 30.
 - Confinement of a work area by cofferdam techniques using sand bag placement, sheet pile installation (vibratory method only), portadam, or similar confinement devices is allowed any time of the year. The removal of such confinement devices is allowed any time of the year.
 - Once a work area has been confined, in-water work within the confined area is allowed any time of the year.
 - The confinement technique used shall completely isolate and protect the confined area from all flowing water. The use of silt boom/curtain or similar technique as a means for confinement is prohibited.
7. **For State Actions Only - Material or Equipment Storage in the Floodplain.** Unless approved by a Flood Management Exemption, the storage of any materials at the site which are buoyant, hazardous, flammable, explosive, soluble, expansive, radioactive, or which could in the event of a flood be injurious to human, animal or plant life, below the elevation of the five-hundred (500) year flood is prohibited. Any other material or equipment stored at the site below said elevation by the Licensee or the Licensee's contractor must be firmly anchored, restrained or enclosed to prevent flotation. The quantity of fuel stored below such elevation for equipment used at the site shall not exceed the quantity of fuel that is expected to be used by such equipment in one day. In accordance with the licensee's Flood Contingency Plan, the Licensee shall remove equipment and materials from the floodplain during periods when flood warnings have been issued or are anticipated by a responsible federal, state or local agency. It shall be the Licensee's responsibility to obtain such warnings when flooding is anticipated.
8. **Temporary Hydraulic Facilities for Water Handling.** If not reviewed and approved as a part of the license application, temporary hydraulic facilities shall be designed by a qualified professional and in accordance with the *Connecticut Guidelines for Soil Erosion and Sediment Control*, the *2004 Connecticut Stormwater Quality Manual*, or the *Department of Transportation's ConnDOT Drainage Manual*, as applicable. Temporary hydraulic facilities may include channels, culverts or bridges which are required for haul roads, channel relocations, culvert installations, bridge construction, temporary roads, or detours.
9. **Excavated Materials.** Unless otherwise authorized, all excavated material shall be staged and managed in a manner which prevents additional impacts to wetlands and watercourses.
10. **Best Management Practices.** The Licensee shall not cause or allow pollution of any wetlands or watercourses, including pollution resulting from sedimentation and erosion. In constructing

or maintaining any authorized structure or facility or conducting any authorized activity, or in removing any such structure or facility, the Licensee shall employ best management practices to control storm water discharges, to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and other waters of the State. For purposes of the license, "pollution" means "pollution" as that term is defined by CGS section 22a-423. Best Management Practices include, but are not limited, to practices identified in the *Connecticut Guidelines for Soil Erosion and Sediment Control* as revised, *2004 Connecticut Stormwater Quality Manual*, Department of Transportation's *ConnDOT Drainage Manual* as revised, and the Department of Transportation Standard Specifications as revised.

- 11. In-Water Work Vessel Staging and Storage. (for Structures Dredging & Fill, Tidal Wetlands, Certificate of Permission, and Long Island Sound General Permit Licenses only).** For any barge, vessel, skiff or floating work platform ("work vessels") utilized in the execution of the work authorized herein, the Licensee shall ensure that such work vessels:
 - do not rest on, or come in contact with, the substrate at any time, unless specifically authorized in the license.
 - are not stored over intertidal flats, submerged aquatic vegetation or tidal wetland vegetation or in a location that interferes with navigation. In the event any work vessel is grounded, no dragging or prop dredging shall occur to free it.
- 12. Work Site Restoration.** Upon completion of any authorized work, the Licensee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
- 13. Inspection.** The Licensee shall allow any representative of the Commissioner to inspect the project location at reasonable times to ensure that work is being or has been conducted in accordance with the terms and conditions of this license.
- 14. Change of Use. (Applies only if a use is specified within the License "Project Description")**
 - a. The work specified in the license is authorized solely for the purpose set forth in the license. No change in purpose or use of the authorized work or facilities as set forth in the license may occur without the prior written approval of the Commissioner. The Licensee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this license, request permission from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
 - b. A change in the form of ownership of any structure authorized herein from a rental/lease commercial marina to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified in paragraph (a) above.
- 15. De Minimis Alteration.** The Licensee shall not deviate from the authorized activity without prior written approval from the Commissioner. The Licensee may request a de minimis change to any authorized structure, facility, or activity. A de minimis alteration means a change in the authorized design, construction or operation that individually and cumulatively has minimal additional environmental impact and does not substantively alter the project as authorized.

- For diversion activities authorized pursuant to 22a-377(c)-2 of the Regulations of Connecticut State Agencies, a de minimis alteration means an alteration which does not significantly increase the quantity of water diverted or significantly change the capacity to divert water.
- 16. Extension Request.** The Licensee may request an extension of the license expiration date. Such request shall be in writing and shall be submitted to the Commissioner at least thirty (30) days prior to the license expiration. Such request shall describe the work done to date, what work still needs to be completed, and the reason for such extension. The Commissioner may extend the expiration date of this license for a period of up to one year, in order for the Licensee to complete the authorized activities. It shall be at the Commissioner's sole discretion to grant or deny such request. No more than three (3) one-year extensions will be granted under this license.
 - 17. Compliance Certification.** Not later than 90 days after completion of the authorized work, the Licensee shall prepare and submit to the Commissioner the attached Compliance Certification Form. Such Compliance Certification shall be completed, signed, and sealed by the Licensee and a Connecticut Licensed Design Professional. If non-compliance is indicated on the form, or the Commissioner has reason to believe the activities and/or structures were conducted in non-compliance with the license, the Commissioner may require the Licensee to submit as-built plans as a condition of this license.
 - 18. Maintenance.** The Licensee shall maintain all authorized structures or work in optimal condition or shall remove such structures or facility and restore the affected waters to their pre-work condition. Any such maintenance or removal activity shall be conducted in accordance with applicable law and any additional approvals required by law.
 - 19. No Work After License Expiration.** Work conducted after the license expiration date is a violation of the license and may subject the licensee to enforcement action, including penalties, as provided by law.
 - 20. License Transfer.** The license is not transferable without prior written authorization of the Commissioner. A request to transfer a license shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Licensee's obligations under the license shall not be affected by the passage of title to the license site to any other person or municipality until such time as a transfer is approved by the Commissioner.
 - 21. Document Submission.** Any document required to be submitted to the Commissioner under the license or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Regulatory Section
Land & Water Resources Division
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
860-424-3019

- 22. Date of Document Submission.** The date of submission to the Commissioner of any document required by the license shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under the license, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in the license, the word “day” as used in the license means calendar day. Any document or action which is required by the license to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
- 23. Certification of Documents.** Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under the license shall be signed by the Licensee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: “I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense.”
- 24. Accuracy of Documentation.** In evaluating the application for the license, the Commissioner has relied on information and data provided by the Licensee and on the Licensee’s representations concerning site conditions, design specifications and the proposed work, including but not limited to representations concerning the commercial, public or private nature of the work or structures, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, the license may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
- 25. Limits of Liability.** In granting the license, the Commissioner has relied on all representations of the Licensee, including information and data provided in support of the Licensee’s application. Neither the Licensee’s representations nor the issuance of the license shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
- 26. Reporting of Violations.** In the event that the Licensee becomes aware that they did not or may not comply, or did not or may not comply on time, with any provision of this license or of any document incorporated into the license, the Licensee shall immediately notify the agency contact specified within the license and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the agency contact, the Licensee shall provide, for the agency’s review and written approval, a report including the following information:
- a. the provision(s) of the license that has been violated;
 - b. the date and time the violation(s) was first observed and by whom;

- c. the cause of the violation(s), if known;
- d. if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;
- e. if the violation(s) has not ceased, the anticipated date when it will be corrected;
- f. steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented; and
- g. the signatures of the Licensee and of the individual(s) responsible for actually preparing such report.

If the violation occurs outside of normal business hours, the Licensee shall contact the Department of Energy and Environmental Protection Emergency Dispatch at 860-424-3333. The Licensee shall comply with any dates which may be approved in writing by the Commissioner.

- 27. Revocation/Suspension/Modification.** The license may be revoked, suspended, or modified in accordance with applicable law.
- 28. Other Required Approvals.** License issuance does not relieve the Licensee of their obligations to obtain any other approvals required by applicable federal, state and local law.
- 29. Rights.** The license is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.
- 30. Condition Conflicts.** In the case where a project specific special condition listed on the license differs from, or conflicts with, one of the general conditions listed herein, the project specific special condition language shall prevail. It is the licensee's responsibility to contact the agency contact person listed on the license for clarification if needed prior to conducting any further regulated activities.



TOWN OF EAST HARTFORD OFFICE OF THE MAYOR

DATE: November 15, 2023
TO: Richard F. Kehoe, Chair
FROM: Mayor Connor S. Martin
RE: REFERRAL: Real Estate Acquisition and Disposition Committee

Please see the attached letter and accompanying documents for referral to the Real Estate Acquisition and Disposition Committee regarding small parcels of property that comprise part of the roadbed of the current East River Drive.

Please place this item on the town council agenda for November 21, 2023 meeting.

C: R. Gentile, Assistant Corporation Counsel
E. Buckheit, Development Director

OFFICE OF THE CORPORATION COUNSEL

To: Mayor Connor Martin

From: Richard P. Gentile

Date: November 15, 2023

RE: Deeds for property under East River Drive

While reviewing an archived file to find an answer to an unrelated question, I uncovered two **original** deeds and conveyance tax statements for small parcels of property that comprise part of the roadbed of the current East River Drive (I have attached copies of the deeds, a December 27, 2001 letter to former Assistant Corporation Counsel Richard Quinlan, and a survey showing the parcels in question). After confirming that no similar deeds were recorded, I reached out to Peter Sorokin (mentioned in the letter) who confirmed that he still represents the parties in question and indicated that the Town should record the deeds. I would like to do that as soon as possible.

I respectfully request that you ask Chairman Kehoe to place this matter on the November 21 Town Council Agenda as a referral to the Real Estate Acquisition and Disposition Committee. Since these deeds deal with acquiring property that comprise a portion of a Town road, I will reach out to the Development Office to coordinate the necessary 8-24 review.

ROGIN, NASSAU, CAPLAN, LASSMAN & HIRTLE, LLC

ATTORNEYS AT LAW

CITYPLACE I, 22ND FLOOR
185 ASYLUM STREET
HARTFORD, CONNECTICUT 06103-3460

TELEPHONE (860) 278-7480
FAX (860) 278-2179

MARK J. LASSMAN
LISA M. ANDERSON
ELIZABETH J. ROBBIN
JONATHAN M. STARBLE
MONIQUE R. POLIDORO
STEPHEN M. HRYNIEWICZ
RANDY P. KABAKOFF

Of Counsel

JEROME E. CAPLAN
EDWIN A. LASSMAN
WILLIAM J. EGAN

EDWARD S. ROGIN (1908-2000)
LOUIS E. NASSAU (1908-1999)

ROBERT L. HIRTLE
STEVEN D. BARTELSTONE
DAVID M. CALL
PAUL B. ZOLAN
DAVID J. HEINLEIN
LEWIS K. WISE
MARK A. ROSENBLUM
BARRY S. FEIGENBAUM
PETER S. SOROKIN
IRIS JUNE BROWN
BENJAMIN ENGEL
THOMAS M. DIVINE
LAWRENCE G. ROSENTHAL

December 27, 2001

VIA HAND DELIVERY

Richard Quinlan, Esq.
Corporation Counsel
740 Main Street
East Hartford, CT 06108

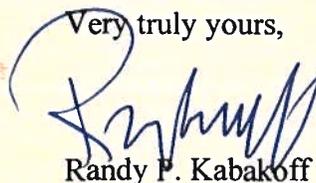
Re: Commerce Center One Limited Partnership

Dear Richard:

Enclosed please find two original quit-claim deeds from Commerce Center Association, Inc. and Commerce Center One Limited Partnership to the Town of East Hartford with state conveyance tax statements for both deeds.

I speak for Peter Sorokin and myself when I say that we both greatly appreciate all your help with respect to the recent refinance of Commerce Center One.

Very truly yours,



Randy P. Kabakoff

RPK:cej

Enclosures

cc: Mr. Charlie Karno (via facsimile, no enclosures)



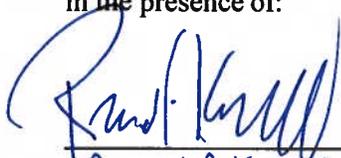
STATUTORY FORM QUIT CLAIM DEED

COMMERCE CENTER ASSOCIATION, INC., a Connecticut non-stock corporation with an office in the Town of East Hartford, County of Hartford and State of Connecticut for good and valuable consideration, grants to the Town of East Hartford, a municipal corporation having an office at 740 Main Street, East Hartford, CT 06108, with **QUIT CLAIM COVENANTS**, that certain piece or parcel of land shown on Schedule A attached hereto.

Signed this 12th day of December, 2001.

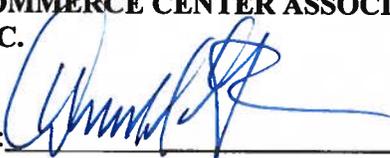
Signed, sealed and delivered

in the presence of:



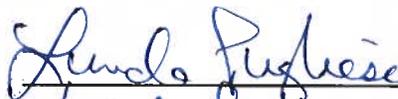
Randy P. Kasakoff

COMMERCE CENTER ASSOCIATION, INC.

By: 

Donald S. Gershman

Its Executive Vice President



Linda Pugliese

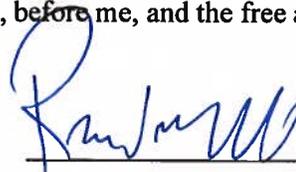
STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss: Hartford

December 12, 2001

Personally appeared Donald S. Gershman, as Executive Vice President of Commerce Center Association, Inc. hereunto duly authorized signer and sealer of the foregoing easement, and acknowledged the same to be his free act and deed, before me, and the free act and deed of said corporation, before me.



Commissioner of the Superior Court

Grantees Address:
740 Main Street
East Hartford, CT 06108

SCHEDULE A

A certain piece or parcel of land shown as "Proposed Release From Commerce Center Association, Inc. to the Town of East Hartford Area =702 SQ. FT" on a map entitled "ALTA/ACSM Land Title Survey Prepared for Commerce Center One Limited Partnership East River Drive East Hartford, Connecticut Scale 1"=40', Dated 11/15/01 and Revised to 11/27/01", prepared by Fuss & O'Neill Inc., which map is to be filed in the Town Clerk's office in said Town of East Hartford to which reference may be had.

STATE OF CONNECTICUT
REAL ESTATE CONVEYANCE TAX RETURN
 OP-236 (Rev. 10/99)

STATE OF CONNECTICUT
DEPARTMENT OF REVENUE SERVICES
 25 Sigourney Street, Hartford CT 06106-5032

FOR TOWN CLERK USE ONLY	
TOWN CODE	LAND RECORD
▶	▶ Vol. Page

1. TOWN ▶ East Hartford		2. LOCATION OF PROPERTY CONVEYED (Number and Street) ▶ East River Drive Extension	
GRANTOR/SELLER (Last Name, First Name, Middle Initial) ▶ Commerce Center Association, Inc.		4. TAXPAYER IDENTIFICATION NUMBER (IMPORTANT: See Instructions) ▶	
ADDRESS (Number and Street) ▶ c/o Kanawh Investments Corp. 342 N. Main Street		6. (City or Town) ▶ West Hartford	State ZIP CT 06117
IS GRANTOR A PARTNERSHIP, S CORPORATION, LLC, ESTATE OR TRUST? ▶ <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "YES", see instructions)		8. IS THIS CONVEYANCE BETWEEN SPOUSES? ▶ <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
IF THIS CONVEYANCE IS FOR NO OR LESS THAN ADEQUATE CONSIDERATION, WILL FEDERAL AND STATE GIFT TAX RETURNS BE FILED? ▶ <input type="checkbox"/> FEDERAL ONLY <input type="checkbox"/> STATE ONLY <input type="checkbox"/> BOTH <input checked="" type="checkbox"/> NOT APPLICABLE			
0. GRANTEE/BUYER (Last Name, First Name, Middle Initial) ▶ Town of East Hartford		11. TAXPAYER IDENTIFICATION NUMBER (IMPORTANT: See Instructions) ▶	
2. ADDRESS (Number and Street) ▶ 740 Main Street		13. (City or Town) ▶ East Hartford, CT	State ZIP CT 06108
4. DATE CONVEYED ▶ 12/12/01	15. DATE RECORDED ▶ 12/ /01	16. TYPE OF INSTRUMENT <input type="checkbox"/> WARRANTY <input checked="" type="checkbox"/> QUITCLAIM <input type="checkbox"/> EASEMENT <input type="checkbox"/> OTHER	
7. THE GRANTOR CLAIMS THAT NO TAX IS DUE BECAUSE: (If applicable, check one)			
SEE DEFINITIONS BELOW			
▶ 17A. <input type="checkbox"/> CONVEYANCE WAS FOR NO CONSIDERATION (This conveyance may be subject to federal and/or Connecticut Gift Tax) (See Definitions)			
▶ 17B. <input type="checkbox"/> CONSIDERATION WAS MORE THAN ZERO BUT LESS THAN \$2,000 (See Definitions)			
▶ 17C. <input checked="" type="checkbox"/> CONVEYANCE IS EXEMPT PURSUANT TO CONN. GEN. STAT. §12-498 (Exemption Code must be entered from reverse) 05			
17D. IF 17C EXEMPTION CODE IS 01 OR 09, ENTER APPROPRIATE DATA: _____			

COMPUTATION OF TAX (Enter consideration for conveyance on the appropriate line)

▶ 18. Consideration for Unimproved Land	\$ _____	x 0.005	= \$ _____
▶ 19. Consideration for Residential Dwelling	\$ _____		
▶ 19A. Portion of Line 19 that is \$800,000 or less	\$ _____	x 0.005	= \$ _____
▶ 19B. Portion of Line 19 that exceeds \$800,000	\$ _____	x 0.01	= \$ _____
▶ 20. Residential Property other than Residential Dwelling	\$ _____	x 0.005	= \$ _____
▶ 21. Nonresidential Property other than Unimproved Land	\$ _____	x 0.01	= \$ _____
▶ 22. Property conveyed by a Delinquent Mortgagor (See Inst.)	\$ _____	x 0.005	= \$ _____
▶ 23. TOTAL TAX DUE (DO NOT STAPLE CHECK TO RETURN)			\$ _____

GRANTOR, GRANTOR'S ATTORNEY OR AUTHORIZED AGENT DECLARATION

I DECLARE UNDER THE PENALTIES OF FALSE STATEMENT THAT I HAVE EXAMINED THIS RETURN, OP-236, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS TRUE, COMPLETE AND CORRECT. (THE PENALTY FOR FALSE STATEMENT IS IMPRISONMENT NOT TO EXCEED ONE YEAR OR A FINE NOT TO EXCEED TWO THOUSAND DOLLARS, OR BOTH.)

NAME (Type or Print) RANDY P. KAPALIS Title Attorney Signature [Signature] Date 12/20/01

GENERAL INSTRUCTIONS

All entries must be printed legibly or typed.

GRANTOR, GRANTOR'S ATTORNEY OR AUTHORIZED AGENT: A completed tax return must be submitted to the City or Town Clerk with a check payable to: COMMISSIONER OF REVENUE SERVICES. A Taxpayer Identification Number is required for each Grantor or Grantee name listed on the deed, instrument or writing. If a Social Security Number or Federal Employer Identification Number, as the case may be, is not entered, this return will be incomplete. If the conveyed property is located in more than one town, complete a tax return for each town in which the property is located.

LINE 7. If you answer "YES" to this question, you must attach a list of names, addresses and Taxpayer Identification Numbers for each partner, member, shareholder or beneficiary, as the case may be.

To order real estate conveyance tax returns or copies of the real estate conveyance tax regulations and special notices call the Department of Revenue Services at 1-800-382-9463 (Connecticut callers) or 860-297-5962 (Greater Hartford and out-of-state callers). TDD/TT users call 860-297-4911. If you need additional information or assistance, please call the Excise/Public Services Taxes Unit at 860-541-3225, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m.

CITY OR TOWN CLERK: Mail this tax return and check to the Commissioner of Revenue Services (address listed above) not later than 10 days after receipt. Volume and Page reference in the box marked "FOR TOWN CLERK USE ONLY" must be completed. Please do not staple check to return.

DEFINITIONS

TAXPAYER IDENTIFICATION NUMBER: Social Security Number or Federal Employer Identification Number, as the case may be.

CONSIDERATION includes money paid and the fair market value of other property, real or personal, transferred directly or indirectly, to the grantor, whether or not expressed in the instrument. By way of example and not of limitation, consideration includes the amount of any liability of the grantor assumed by the grantee and the amount of any liability to which the property is subject.

UNIMPROVED LAND means land that has no improvements thereon.

RESIDENTIAL PROPERTY OTHER THAN RESIDENTIAL DWELLING includes apartment buildings, duplexes and other multi-unit properties, whether or not the owner resides on the premises.

SCHEDULE A

A certain piece or parcel of land shown as "Proposed Release From Commerce Center One Limited Partnership to the Town of East Hartford Area =5,506 SQ. FT. = 0.126 Acres" on a map entitled "ALTA/ACSM Land Title Survey Prepared for Commerce Center One Limited Partnership East River Drive East Hartford, Connecticut Scale 1"=40', Dated 11/15/01 and Revised to 11/27/01", prepared by Fuss & O'Neill Inc., which map is to be filed in the Town Clerk's office in said Town of East Hartford to which reference may be had.

**STATE OF CONNECTICUT
REAL ESTATE CONVEYANCE TAX RETURN**

STATE OF CONNECTICUT
DEPARTMENT OF REVENUE SERVICES
25 Sigourney Street, Hartford CT 06106-5032

FOR TOWN CLERK USE ONLY

TOWN CODE	LAND RECORD
▶	▶ Vol. Page

P-236 (Rev. 10/99)

TOWN East Hartford

2. LOCATION OF PROPERTY CONVEYED (Number and Street)
▶ East River Drive Extension

GRANTOR/SELLER (Last Name, First Name, Middle Initial)
Commerce Center Association, Inc. Limited Partnership

4. TAXPAYER IDENTIFICATION NUMBER (IMPORTANT: See Instructions)
▶

ADDRESS (Number and Street) 342 N. Main St.
c/o Konover Investments Corp.

6. (City or Town) West Hartford State CT ZIP 06117

8. IS THIS CONVEYANCE BETWEEN SPOUSES?
 YES NO (If "YES", see instructions)

8. IS THIS CONVEYANCE BETWEEN SPOUSES?
 YES NO

IF THIS CONVEYANCE IS FOR NO OR LESS THAN ADEQUATE CONSIDERATION, WILL FEDERAL AND STATE GIFT TAX RETURNS BE FILED?
 FEDERAL ONLY STATE ONLY BOTH NOT APPLICABLE

GRANTEE/BUYER (Last Name, First Name, Middle Initial)
Town of East Hartford

11. TAXPAYER IDENTIFICATION NUMBER (IMPORTANT: See Instructions)
▶

ADDRESS (Number and Street) 740 Main Street

13. (City or Town) East Hartford, CT 06108 State CT ZIP

DATE CONVEYED 12/12/01

15. DATE RECORDED 12/ /01

16. TYPE OF INSTRUMENT
 WARRANTY QUITCLAIM EASEMENT OTHER

THE GRANTOR CLAIMS THAT NO TAX IS DUE BECAUSE: (If applicable, check one)

SEE DEFINITIONS BELOW

17A. CONVEYANCE WAS FOR NO CONSIDERATION (This conveyance may be subject to federal and/or Connecticut Gift Tax) (See Definitions)

17B. CONSIDERATION WAS MORE THAN ZERO BUT LESS THAN \$2,000 (See Definitions)

17C. CONVEYANCE IS EXEMPT PURSUANT TO CONN. GEN. STAT. §12-498 (Exemption Code must be entered from reverse) 03

17D. IF 17C EXEMPTION CODE IS 01 OR 09, ENTER APPROPRIATE DATA: _____

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NAME (Type or Print) Title Signature Date 12/12/01

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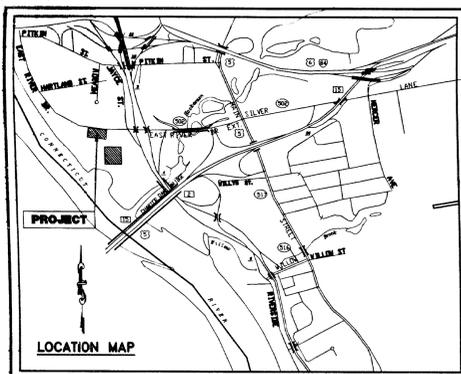
RESIDENTIAL PROPERTY OTHER THAN RESIDENTIAL DWELLING includes apartment buildings, duplexes and other multi-unit properties, whether or not the owner resides on the premises.

Continued on reverse

COMMERCE CENTER ONE LIMITED PARTNERSHIP

GENERAL PARTNERS: 1) **Canpro Investments, Ltd**
 2) **Comcen, Inc.**
 c/o Konover Investments Corporation
 342 North Main Street
 West Hartford, CT 06117

LIMITED PARTNER 1) **Konover Family Limited Partnership**
 c/o Konover Investments Corporation
 342 North Main Street
 West Hartford, CT 06117



LEGEND

UTILITY POLE	PROPERTY LINE	UNDERGROUND TELEPHONE
GUY WIRE	EASEMENT LINE	UNDERGROUND ELECTRIC
BOLLARD	CURB	STORM DRAINAGE PIPE
SIGN	WATER MAIN	SANITARY SEWER PIPE
GAS GATE	UNDERGROUND GAS	GAS EASEMENT
LIGHT	UNDERGROUND TELEPHONE	WATER EASEMENT
SANITARY MANHOLE	STORM DRAINAGE PIPE	SAN. SEWER EASEMENT
STORM MANHOLE	SANITARY SEWER PIPE	CONCRETE SIDEWALK
ELECTRIC MANHOLE	GAS EASEMENT	
TELEPHONE MANHOLE	WATER EASEMENT	
CATCH BASIN	SAN. SEWER EASEMENT	
FLAT TOP CATCHBASIN	CONCRETE SIDEWALK	
WATER VALVE		
FIRE HYDRANT		

PROPERTY DESCRIPTION

BEGINNING AT A POINT MARKING THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED HEREIN, WHICH POINT ALSO MARKS THE NORTH-EAST CORNER OF OTHER AND NOW OR FORMERLY COMMERCE CENTER ASSOCIATION, INC. AND IS IN THE SOUTHERLY BOUNDARY LINE OF LAND NOW OR FORMERLY THE TOWN OF EAST HARTFORD;

THENCE RUNNING ON A CURVE TO THE LEFT HAVING A RADIUS OF 458.27 FEET A DISTANCE OF 47.20 FEET TO A POINT;

THENCE RUNNING ON A CURVE TO THE LEFT HAVING A RADIUS OF 541.08 FEET A DISTANCE OF 4.74 FEET TO A CONCRETE MONUMENT;

THENCE RUNNING ON A CURVE TO THE LEFT HAVING A RADIUS OF 1028.59 FEET A DISTANCE OF 185.86 FEET TO A POINT;

THENCE RUNNING S89°51'47"E A DISTANCE OF 148.83 FEET TO A POINT;

THENCE RUNNING N7°48'04"W A DISTANCE OF 287.81 FEET TO A POINT;

THENCE RUNNING S00°05'00"W A DISTANCE OF 280.86 FEET TO A POINT;

THENCE RUNNING S45°07'00"W A DISTANCE OF 80.00 FEET TO A POINT;

THENCE RUNNING S80°07'00"W A DISTANCE OF 181.80 FEET TO A POINT;

THENCE RUNNING N00°07'00"W A DISTANCE OF 113.52 FEET TO A POINT;

THENCE RUNNING S80°07'00"W A DISTANCE OF 31.42 FEET TO A POINT;

THENCE RUNNING N45°07'00"W A DISTANCE OF 144.00 FEET TO A POINT;

THENCE RUNNING N00°07'00"W A DISTANCE OF 144.00 FEET TO THE POINT AND PLACE OF BEGINNING.

MAP REFERENCE

"PLAN PREPARED FOR COMMERCE CENTER ONE LIMITED PARTNERSHIP EAST RIVER DRIVE EAST HARTFORD, CONNECTICUT SCALE 1"=40' DATE 7/28/96 BY FUSS & O'NEILL, INC.

"COMPLIATION PLAN MAP SHOWING EASEMENT AREA TO BE GRANTED TO THE CONNECTICUT LIGHT AND POWER COMPANY ACROSS THE PROPERTY OF TOWN OF EAST HARTFORD, COMMERCE CENTER ONE LIMITED PARTNERSHIP, COMMERCE CENTER ASSOCIATION, INC. AND EAST HARTFORD MAGNET SCHOOL, EAST RIVER DRIVE EXTENSION EAST HARTFORD, CT. DATE 8/22/01 SCALE 1"=50' BY FUSS & O'NEILL, INC.

"WATER SERVICE EASEMENT MAP PREPARED FOR METROPOLITAN DISTRICT COMMISSION EAST RIVER DRIVE EAST HARTFORD, CT. DATE 3/28/01 SCALE 1"=50' BY FUSS & O'NEILL, INC.

"EASEMENT MAP PREPARED FOR SOUTHERN NEW ENGLAND TELEPHONE CO. EAST RIVER DRIVE EAST HARTFORD, CT. DATE 3/28/01 SCALE 1"=50' BY FUSS & O'NEILL, INC.

"SANITARY SEWER EASEMENT MAP PREPARED FOR METROPOLITAN DISTRICT COMMISSION EAST RIVER DRIVE EAST HARTFORD, CT. DATE 3/28/01 SCALE 1"=50' BY FUSS & O'NEILL, INC.

"EASEMENT MAP PREPARED FOR CONNECTICUT NATURAL GAS EAST RIVER DRIVE EAST HARTFORD, CT. DATE 3/28/01 SCALE 1"=50' BY FUSS & O'NEILL, INC.

ZONING INFORMATION FOR BUSINESS (B-4) ZONE

MINIMUM LOT STREET FRONTAGE=55 FEET

MINIMUM LOT AREA =10,000 SQ. FT.

MINIMUM LOT WIDTH=80 FEET

MINIMUM FRONT SETBACK LINE= 25 FEET.

MINIMUM SIDE SETBACK LINE= TOTAL OF 25 FEET BUT NOT LESS THAN 10 FEET

PARKING SETBACK LINES= 25' FRONT, 10' REAR AND SIDE

AREA = 5.214 ACRES

N/F COMMERCE CENTER ONE LIMITED PARTNERSHIP

SEE VOL. 996 PAGE 72

THIS PARCEL IS LOCATED IN A 100 FLOOD ZONE PER TOWN OF EAST HARTFORD CONNECTICUT HARTFORD COUNTY FLOOD BOUNDARY AND FLOODWAY MAP PANEL #090026 0003D 23,1981. REVISED OCTOBER 23, 1981

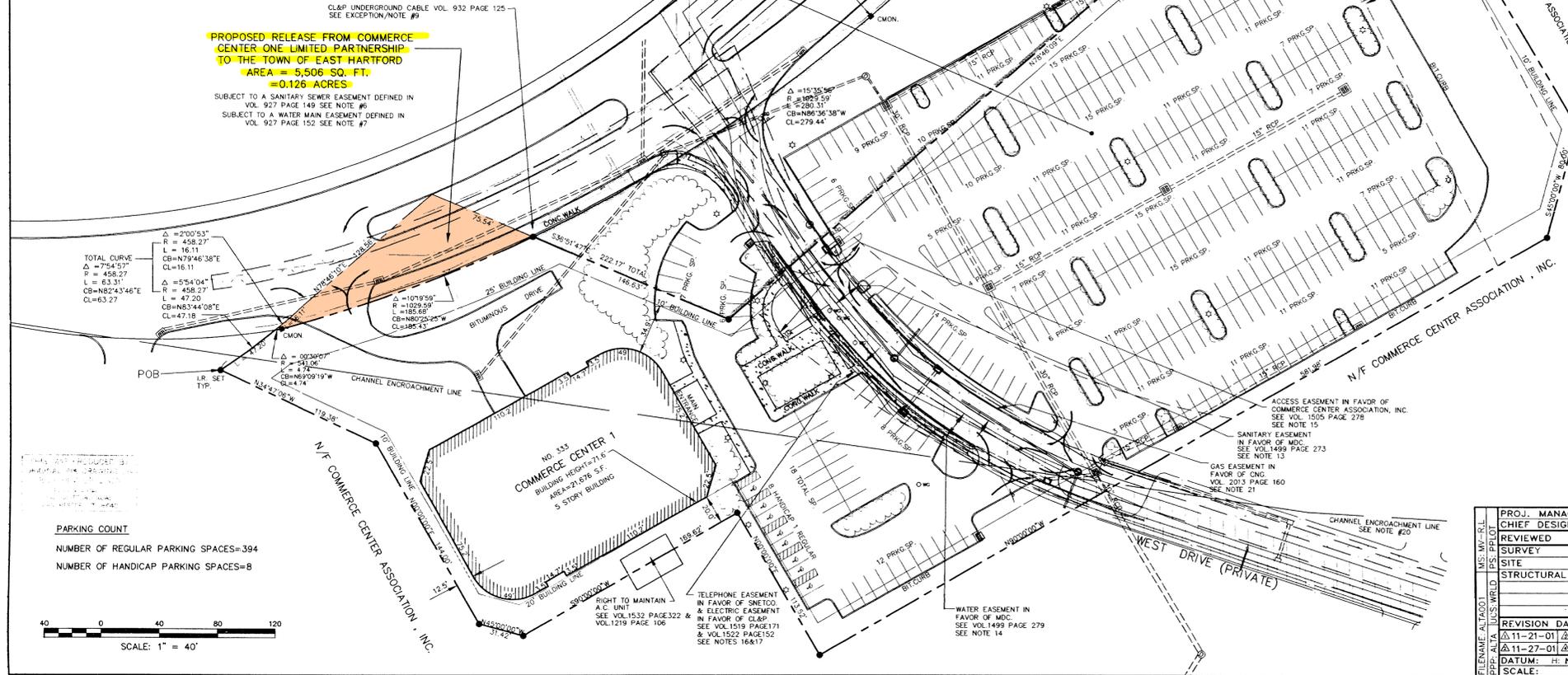
PROPOSED RELEASE FROM COMMERCE CENTER ONE LIMITED PARTNERSHIP TO THE TOWN OF EAST HARTFORD

AREA = 5,506 SQ. FT.

= 0.126 ACRES

SUBJECT TO A SANITARY SEWER EASEMENT DEFINED IN VOL. 927 PAGE 149 SEE NOTE #6

SUBJECT TO A WATER MAIN EASEMENT DEFINED IN VOL. 927 PAGE 152 SEE NOTE #7



PROPOSED RELEASE FROM COMMERCE CENTER ASSOCIATION, INC. TO THE TOWN OF EAST HARTFORD

AREA = 702 SQ. FT.

AREA SUBJECT TO AMENDED AND RESTATED LEASE DATED NOVEMBER 22, 2000 BETWEEN THE TOWN OF EAST HARTFORD AND EASTFORD ASSOCIATES LIMITED PARTNERSHIP

UNDERGROUND UTILITY NOTE

THE UNDERGROUND UTILITIES DEPICTED HEREON ARE AS DEPICTED ON ORIGINAL MAP REFERENCED ABOVE. FUSS & O'NEILL, INC. MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FUSS & O'NEILL, INC. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES DEPICTED ARE IN THE EXACT LOCATION INDICATED. UTILITIES DEPICTED HEREON ARE DEPICTED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. FUSS & O'NEILL, INC. HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

SCHEDULE B EXCEPTIONS-AS LISTED IN COMMONWEALTH LAND TITLE INSURANCE COMPANY POLICY FILE NO. 01-01131(A) DATED NOVEMBER 7, 2001 12:20 PM.

6. WATER MAIN EASEMENT FROM BRUCE A. FISCHMAN, TRUSTEE TO THE METROPOLITAN DISTRICT COMMISSION VOLUME 927, PAGE 149.
7. SEWER EASEMENT FROM BRUCE A. FISCHMAN, TRUSTEE TO THE METROPOLITAN DISTRICT COMMISSION VOLUME 927, PAGE 152.
8. DECLARATIONS OF EASEMENTS VOLUME 931, PAGE 163.
9. EASEMENT FROM BRUCE A. FISCHMAN, TRUSTEE TO THE CONNECTICUT LIGHT AND POWER COMPANY VOLUME 932, PAGE 125.
13. SEWER EASEMENT FROM COMMERCE CENTER ONE LIMITED PARTNERSHIP TO THE METROPOLITAN DISTRICT COMMISSION VOLUME 1499, PAGE 273.
14. WATER MAIN EASEMENT FROM COMMERCE CENTER ONE LIMITED PARTNERSHIP TO THE METROPOLITAN DISTRICT COMMISSION VOLUME 1499, PAGE 279.
15. EASEMENT AGREEMENT BETWEEN COMMERCE CENTER ONE LIMITED PARTNERSHIP AND COMMERCE CENTER ASSOCIATION, INC. VOLUME 1505, PAGE 278.
16. EASEMENT FROM COMMERCE CENTER ONE LIMITED PARTNERSHIP TO THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY VOLUME 1519, PAGE 171.
17. ELECTRIC DISTRIBUTION EASEMENT FROM COMMERCE CENTER ONE LIMITED PARTNERSHIP TO THE CONNECTICUT LIGHT AND POWER COMPANY DATED VOLUME 1522, PAGE 152.
19. CONDITIONS AND REQUIREMENTS OF STATE OF CONNECTICUT STATE TRAFFIC COMMISSION CERTIFICATE, VOLUME 1908, PAGE 343.
20. CHANNEL ENCROACHMENT LINE AS ESTABLISHED BY THE WATER RESOURCES COMMISSION OF THE STATE OF CONNECTICUT.
21. GAS EASEMENT FROM COMMERCE CENTER ONE LIMITED PARTNERSHIP TO CONNECTICUT NATURAL GAS CORPORATION, DATED AUGUST 29, 2001 VOLUME 2013 PAGE 160.

SURVEY NOTES

1. THIS MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS PREPARED AND ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1996.

THE TYPE OF SURVEY PERFORMED IS A BOUNDARY SURVEY, AND IS INTENDED TO DEPICT THE POSITION OF THE BOUNDARIES WITH RESPECT TO ALL MONUMENTATION FOUND, STRUCTURES, VISIBLE UTILITIES AND ROADWAYS. BOUNDARY DETERMINATION IS BASED ON A DEPENDENT SURVEY.

THIS PLAN CONFORMS TO HORIZONTAL ACCURACY CLASS A-2.

I HEREBY CERTIFY TO IDS LIFE INSURANCE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS, COMMONWEALTH LAND TITLE INSURANCE COMPANY AND COMMERCE CENTER ONE LIMITED PARTNERSHIP THAT THIS PLAN REPRESENTS A TRUE AND CORRECT SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION ON NOVEMBER, 2001; THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 1999, INCLUDING TABLE A ITEMS 1-4, 6, 7(a),(b),(c), 8-10, 11(b) and 14-16 and (ii) PURSUANT TO ACCURACY STANDARDS (AS ADOPTED BY ALTA, ACSM, AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION AND THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE MINIMUM RANGE, DISTANCE AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS. NONE OF THESE BUILDINGS SHOWN HEREON ENCRACH ON ANY STREET, TITLE OR BUILDING LINES, NOR ARE THERE ENCROACHMENTS BY IMPROVEMENTS FROM ADJOINING PROPERTIES.

Lawrence R. Geissler, Jr.
LAWRENCE R. GEISSLER, JR. L.S. #12327

PARKING COUNT

NUMBER OF REGULAR PARKING SPACES=394

NUMBER OF HANDICAP PARKING SPACES=8

SCALE: 1" = 40'

PROJ. MANAGER: LRG	REVIEWED BY DATE
CHIEF DESIGNER: KMS	
SURVEY	
SITE	
STRUCTURAL	
REVISION DATE:	
Δ 11-21-01	Δ
Δ 11-27-01	Δ
DATUM: NAD27 V. NA	
SCALE: 1" = 40'	

FUSS & O'NEILL, INC. Consulting Engineers
148 HARTFORD ROAD, MANCHESTER, CONNECTICUT 06040
(203) 646-2465

ALTA/ACSM LAND TITLE SURVEY

PREPARED FOR
COMMERCE CENTER ONE LIMITED PARTNERSHIP

EAST RIVER DRIVE EAST HARTFORD, CONNECTICUT

JOB NUMBER: B8453A11 PHASE: 8045 DATE: 11/15/01 SHEET NO. 1 OF 1

